

REMARKS

In response to the restriction requirement, the applicants elect the subject matter of claim 15 falling within Group III. The applicants make this election with traverse and respectfully request that the Office also examine subject matter of claim 23 falling within Group XI. The subject matter of Groups III and XI are classified in class 702, subclass 19, and both cover methods for identifying a correlation between phenotype information and genotype information by utilizing a database. As one search should cover the subject matter of Groups III and XI, there is no undue search burden on the Office to examine the subject matter of both groups.

The applicants have cancelled claims 1-24 and have introduced new claims 25-54. Claim 25 corresponds to cancelled claim 15 and claim 40 corresponds to cancelled claim 23. As a result, claims 25-39 correspond to the subject matter of Group III and claims 40-54 correspond to the subject matter of Group XI.

The Office also required an election of species with regard to claims 1-13. As claims 1-13 have been cancelled, it is respectfully submitted that no election of species is required for new claims 25-54. Should the Office deem that an election of species is required for the new claims, the applicants would elect nucleotide sequences of Species IA as claims 25-54 are generic with respect to that species. The applicants respectfully assert, however, that there is no undue burden for searching nucleotide sequences, characteristic or value representative of the differences between sequences, and nucleic acid length, because the search that covers the elected subject matter in connection with the restriction requirement should also cover these species. Therefore, it is respectfully submitted that no species election is required for examination of claims 25-54.

The Office also noted in the action that the draftsperson objected to the drawings as filed. The applicants wish to thank the Examiner for discussing this matter with the undersigned representative, and for suggesting that the representative forward the drawings in the near future to the Office and contact the Examiner by telephone when completed. The applicants also wish


to thank the Examiner for clarifying that addressing the drawings in this manner is responsive to the objection to the drawings.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 532592001200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

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